

Town of Tiverton, Rhode Island

NOTE: Tel. No. (401) 625-6760

You must call for an inspection of this work and the permanent patch at least 24 hours in advance.

Street Opening Application and Permit

Permit # _____

Name of Street To Be Opened	Dig Safe No.	Type of Connection	Fee Paid
_____	_____	_____	_____
Applicant Name	Address	Phone Number	
_____	_____	_____	
Start Date	Completion Date	Performance Bond File Date	Indemnification Agreement
_____	_____	_____	_____
Name and Address of Property Owner			No: _____
_____			Date: _____
Description of Work to Be Performed:			

The above Individual, Corporation or Unincorporated Business is Hereby Granted Permission to Perform the above excavation in adherence with the specifications and limits outlined in the town code section 70-3 excavation ie:

Sec. 70-3 Excavations.

- (a) Any person, which term shall include individuals, corporations or unincorporated businesses, desiring to dig into or otherwise break the surface of any public street or way in the town, shall, before proceeding to such operation, first obtain from the town clerk a permit. Such permit shall be issued by the town clerk only after:
 - (1) The applicant has filed with the town clerk the currently required performance bond in the form satisfactory to the director of public works;
 - (2) The applicant has filed with the town clerk an indemnification agreement whereby the applicant agrees to reimburse the town for any liability, loss, damage or other expense incurred by the town as a result of the work done by the applicant under the permit issued; and
 - (3) The applicant has paid the town clerk the currently required fee to cover the expense of the issuance of the permit.
- (b) When digging is done in a so-called finished or hard-surfaced street, the contractor must:
 - (1) Remove and carry away any material removed in the digging process;
 - (2) Not use the material removed in the digging process as fill in refilling the excavation;
 - (3) Replace the material removed in the excavation by crushed gravel, tamped down to within three inches of the finished surface of the street; and
 - (4) Fill the remaining hole with cold mix, so-called, and roll it with a roller so that the top of the refilled excavation is even with the surrounding road level.
- (c) Within a period of not less than two nor more than three months after the excavation is filled in accordance with subsection (b) of this section, the contractor must remove the cold mix, so-called, and replace it with hot mix, so-called, and seal the patch or excavation with a hot iron so that the completed operation will result in the patch being even with the surrounding street level.
- (d) When digging in dirt streets or ways or along unpaved or unfinished shoulders or verges of hard-finished streets or ways, all refill must be tamped down as it is installed so that the finished work will be brought back to the original height of the street, or to the original height of the unpaved shoulder or verge of the paved street or way.

This permit is granted only for the designated area stated under "DESCRIPTION OF WORK" and no other.

Approved: _____
Director of Public Works

Town Clerk

IDEMNIFICATION AGREEMENT

Know all men by these present, that _____, hereinafter called "the Contractor," hereby agrees to indemnify and hold harmless the Town of Tiverton, hereinafter called "the Town," for a period of one (1) year from the completion date of permitted work from any claim against said Town arising out of construction and/or excavation work performed by the Contractor under a license issued to it by the said Town for work done in _____, which license application is dated _____.

All vouchers and other evidence of payment of any loss, liabilities, costs, damages, charges, or expenses of whatsoever nature incurred by the Town or its attorneys shall be taken as conclusive evidence against the Contractor, its heirs, executors, administrators, or assigns of that fact and extent of Contractor's liability to the Town.

IN WITNESS WHEREOF, said Contractor has hereunto set its hand and seal on

_____.

BY: _____

DATE: _____